

230R1C162

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

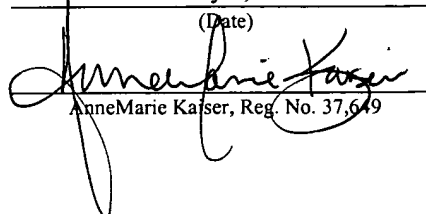
Applicant : Goddard, et al. (as amended)  
Appl. No. : 10/063,735  
Filed : May 8, 2002  
For : A NUCLEIC ACID UNDEREXPRESSED  
IN RECTAL TUMOR (as amended)  
Examiner : Seharaseyon, J.  
Group Art Unit : 1647

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 5, 2005

(Date)

  
AnneMarie Kaiser, Reg. No. 37,649

RESPONSE TO NOTICE TO COMPLY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Response to the Notice to Comply conforms the Sequence Listing to the rules of practice specified by the United States Patent and Trademark Office. Submitted herewith is a paper copy of the Sequence Listing and a copy of the Notice to Comply.

Please enter the attached sequence listing in the above-referenced application.

VERIFICATION UNDER 37 C.F.R. §1.821(f) & (g)

The sequences appearing in the attached Sequence Listing were included in the application as filed. Pursuant to 37 C.F.R. §1.821(g), no new matter is being added herewith. As required under 37 C.F.R. §1.821(f), I hereby verify that the data on the disk previously submitted and the paper copy of the Sequence Listing are identical.

Appl. No. : 10/063,735  
Filed : May 8, 2002

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

Jan. 5, 2005

By:

AnneMarie Kaiser

AnneMarie Kaiser

Registration No. 37,649

Attorney of Record

Customer No. 30,313

(619) 235-8550

S:\DOCS\AOK\AOK-6394.DOC  
010505

COPY

## Notice to Comply

Application No.

10/063 @ 735

Applicant(s)

J. Eaton et al.

Examiner

J. Seharaseyn

Art Unit

1647

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

## Applicant Must Provide:

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923

For CRF Submission Help, call (703) 308-4212 or 308-2923

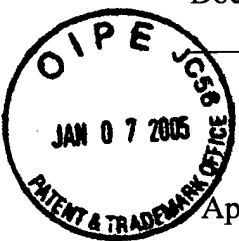
Patent Software Program Support

Technical Assistance.....703-287-0200

To Purchase Patent Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**





## AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Goddard, et al (as amended herein)  
 App. No. : 10/063,735  
 Filed : May 8, 2002  
 For : A NUCLEIC ACID UNDEREXPRESSED  
 IN RECTAL TUMOR (as amended)  
 Examiner : Seharaseyon, J.  
 Art Unit : 1647

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 5, 2005

(Date)

AnneMarie Kaiser, Reg. No. 57,649

## Mail Stop Amendment

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

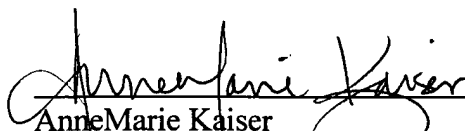
- (X) Amendment and Response to Office Action in 22 pages.
- (X) A response to Notice to Comply, copy of Notice to Comply, and paper copy of Sequence Listing.
- (X) Exhibits 1-7 are enclosed.
- (X) A check in the amount of \$130 is enclosed for the deletion of inventors.

The fee has been calculated as shown below:

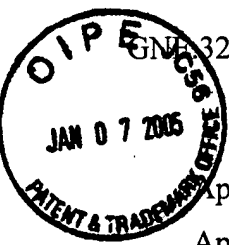
FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims	15 - 20 = 0	1202 (\$50)	0 x 0 =	\$0
Independent Claims	2 - 3 = 0	1201 (\$200)	0 x 0 =	\$0
Multiple Claim		1203 (\$360)		\$0
			<b>TOTAL FEE DUE</b>	<b>\$0</b>



- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.
- (X) Please use Customer No. 30,313 for the correspondence address.

  
AnneMarie Kaiser  
Registration No. 37,649  
Attorney of Record  
Customer No. 30,313  
(619) 235-8550

FW 1647  
Sequence Listing  
PATENT



3230R1C162

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Goddard, et al. (as amended herein)  
Appl. No. : 10/063,735  
Filed : May 8, 2002  
For : A NUCLEIC ACID  
UNDEREXPRESSED IN RECTAL  
TUMOR (as amended herein)  
Examiner : Seharaseyon, J.  
Group Art Unit : 1647

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 5, 2005

(Date)

*AnneMarie Kaiser*  
AnneMarie Kaiser, Reg. No. 37,649

AMENDMENT AND RESPONSE TO OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed October 6, 2004, Applicants submit the following amendments and remarks.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Deletion of Inventors** begins on page 8 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.

01/11/2005 BABRAHA1 00000025 10063735

01 FC:1464

130.00 OP